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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

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PAMELA DITTMAR,  
  
Plaintiff,

v.

CITY OF NORTH LAS VEGAS, a municipal  
corporation,  
  
Defendant.

Case No. 2:17-cv-02916-JAD-BNW

**STIPULATION AND ORDER TO  
EXTEND PRETRIAL-DOCUMENT  
DEADLINES; ORDER GRANTING  
MOTION TO EXTEND DEADLINE TO  
FILE MOTION TO CONTINUE TRIAL**

**ECF Nos. 153, 154**

NOW COMES the Plaintiff, Pamela Dittmar, by and through her attorneys, Melanie Hill and Melanie Hill Law PLLC, and Defendant, City of North Las Vegas, by and through its attorneys, R. Todd Creer, Kaitlin H. Paxton, and Kamer Zucker Abbott, who hereby stipulate that the deadlines for the parties to file their pretrial memorandum, exhibit and witness lists, proposed voir dire, and proposed jury instructions be extended from the current deadline of Monday, December 4, 2023 to Monday, December 11, 2023 or thereafter if the court grant's Plaintiff's Motion to Continue Trial that will be filed by Friday, December 1, 2023. This stipulation is filed pursuant to Local Rule IA 6-1 and Local Rule 26-3.

This is the first request for an extension of these pretrial filing deadlines for the current trial stack setting of December 19, 2023. The trial date has been continued two times and Plaintiff is

1 requesting a third continuance of the December 19, 2023 trial this week for the reasons articulated in  
2 court at the master trial scheduling conference on November 28, 2023. In support of this stipulation  
3 for extension of the pretrial filing deadlines currently set for Monday, December 4, 2023, the parties  
4 state as follows:

5 1. The current deadline for all parties to file their respective pretrial filings is December  
6 4, 2023, two weeks prior to the current trial stack and a week before the currently scheduled calendar  
7 call on December 11, 2023 at 1:30pm.

8 2. Counsel for Plaintiff had major surgery to break up and remove a 9mm kidney stone  
9 in her left kidney and a 6mm stone blocking her ureter from her right kidney on Monday, November  
10 27, 2023. She had a procedure yesterday to remove her catheter and has a procedure Friday to  
11 remove both ureter stents that were placed during her surgery. Counsel is unable to work, sit, and  
12 stand due to the pain during her recovery. Plaintiff's counsel's doctor, Craig Hunter, has  
13 recommended that she not work for six weeks to allow her body to heal from the major surgery,  
14 surgery that she had while still recovering from her first surgery on September 15, 2023. Additional  
15 medical history, acute conditions, and medical documentation that was discussed in open court at the  
16 master trial scheduling conference will be provided in a sealed Declaration of Melanie Hill in  
17 support of this stipulation and the soon to be filed motion to continue trial further documenting and  
18 supporting Plaintiff's counsel's acute medical conditions necessitating the surgery this week and  
19 another surgery she underwent less than three months ago on September 15, 2023.

20 3. Due to the emergency nature of both of Plaintiff's counsel's surgeries, both of which  
21 were discovered and scheduled *after* the last trial continuance was requested on August 22, 2023 and  
22 granted on August 29, 2023, Plaintiff's counsel could not have anticipated these two surgeries when  
23 Plaintiff's last motion to continue trial was filed due to key witness Dr. Liu's travel to China during  
24 the month of September.

25 4. Plaintiff's counsel has been unable to work to complete the pretrial filings or prepare  
26 for trial due to both of these surgeries and the underlying conditions they were addressing that will  
27 be explained in greater detail in Plaintiff's counsel's sealed declaration.

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1           5.       Plaintiff's counsel anticipates being able to resume trial preparation on January 11,  
2 2023, however, she will know more about her current condition *after* the stints are removed  
3 tomorrow morning and her level of pain can be reevaluated. Plaintiff's counsel is also taking pain  
4 medication that interferes in her ability to work. After the master trial scheduling conference on  
5 Tuesday, the third hearing Plaintiff's counsel attended on November 28, 2023, she was exhausted  
6 and had to rest all day. She was also unable to sit and work due to the pain and surgeries and it is  
7 also difficult for her to stand and work due to the pressure of gravity while she is healing.

8           6.       Based on the foregoing, and to allow for the filing of the motion to continue trial, the  
9 parties stipulate to continue the pretrial filing deadlines until Monday, December 11, 2023, the same  
10 day as calendar call in this case.

11           7.       This request for a one-week extension of time is not sought for any improper purpose  
12 or other purpose of delay. Rather, it is sought to allow time for the court to consider Plaintiff's  
13 motion to continue trial and provide sufficient time for counsel for Plaintiff to heal from her two  
14 surgeries over the last three months and prepare for trial, including preparing all pretrial filings that  
15 this request to continue the December 4, 2023 deadline applies to: pretrial memorandum, exhibit and  
16 witness lists, proposed voir dire, and proposed jury instructions.

17           8.       Through this stipulation, Plaintiff requests that the Court extend the deadline for the  
18 parties to file their pretrial filings from the current deadline of Monday, December 4, 2023 until  
19 Monday, December 11, 2023.

20           9.       Courts in the District of Nevada have routinely held that extensions of deadlines for  
21 illness establish good cause for the requested extension.

22           10.      In accordance with LR 26-3, a motion to extend any date set by the discovery plan,  
23 scheduling order, or other order must, in addition to satisfying the requirements of LR IA 6-1, be  
24 supported by a showing of good cause for the extension. Local R. 26-3. Plaintiff's counsel submits  
25 that good cause exists due to Plaintiff's counsel's surgery on Monday, November 27, 2023 and  
26 underlying conditions that have prevented her from working and preparing for the upcoming trial in  
27 this case on December 19, 2023.

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WHEREFORE, the parties respectfully request that the Court extend the pretrial filing deadline from December 4, 2023 to December 11, 2023 or thereafter if the court grant's Plaintiff's Motion to Continue Trial that will be filed by Friday, December 1, 2023.

DATED this 30<sup>th</sup> day of November, 2023.

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**ORDER**

**IT IS SO ORDERED.** And IT IS FURTHER ORDERED that the corresponding motion to extend the deadline to file the motion to continue trial to December 1, 2023, [ECF No. 153] is **GRANTED.**

**12-1-23**

**DATE**

  
**UNITED STATES DISTRICT JUDGE**